

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EDWIN POLYNICE	:	
	:	No. 2:19-cv-16875-MCA-LDW
V.	:	
	:	<u>JURY TRIAL DEMANDED</u>
ROBINSON, ET AL.	:	

JOINT PROPOSED DISCOVERY PLAN

1. Set forth a brief description of the case, including the causes of action and defenses asserted.

Plaintiff is asserting that while being confined at Northern State Prison, Administrator George Robinson failed to train and supervise Sergeant Gibson and SCO John Doe and created deficient policies in numerous areas, including the failure to properly screen inmates for any specific medical accommodations. Defendant denies the Plaintiff's allegations. Any injury to Plaintiff was a direct result of his negligence. Furthermore, per Northern State Prison operations, there are no records that a Sgt. Gibson has ever been employed there.

2. Have settlement discussions taken place? No.

a. What was Plaintiff's last demand?

- 1) Monetary demand: N/A
- 2) Non-monetary demand: N/A

b. What was Defendant's last offer? N/A

- 1) Monetary offer: N/A
- 2) Non-monetary offer: N/A

3. The parties have not exchanged the information required by Fed. R. Civ. P. 26(a)(1). If not, state the reason therefor.

The parties have agreed to exchange Rule 26(a)(1) initial disclosures on or before September 4, 2020.

4. Describe any discovery conducted other than the above disclosures.

None to date.

5. Generally, dispositive Motions cannot be filed until the completion of discovery. Describe any Motions any party may seek to make prior to completion of discovery. Include any jurisdictional Motions and Motions to Amend.

N/A

6. The parties propose the following:

- a. Discovery is needed on the following subjects (among others): Plaintiff's medical records,
- b. Discovery **should not** be conducted in phases or be limited to particular issues.
- c. Number of Interrogatories by each party to each other party: **25**
- d. Number of depositions taken by each party: **5**
- e. Plaintiff's expert report due on: **June 18, 2021**
- f. Defendant's expert report due on: **August 18, 2021**
- g. Motions to Amend or to Add Parties to be filed by: **August 28, 2020**
- h. Dispositive Motions to be served within **90** days of completion of discovery.
- i. Factual discovery to be completed by: **May 10, 2021**
- j. Expert discovery to be completed by: **September 2, 2021**
- k. Set forth any special discovery mechanism or procedure requested, including data preservation orders or protective orders: **N/A**
- l. A pretrial conference may take place on: **When a trial date is set**
- m. Trial by Jury.

n. Trial date: **To be set thirty (30) days after a decision is entered on dispositive motions.**

7. Do you anticipate any discovery problems? **No.**
8. Do you anticipate any special discovery needs (i.e. videotape/telephone depositions, problems with out-of-state witnesses or documents, etc.)? **No.**
9. State whether this case is appropriate for voluntary arbitration (pursuant to Local Civil Rule 201.1 or otherwise) or mediation (pursuant to Local Civil Rule 301.1 or otherwise).

If not, explain why and state whether any such procedure may be appropriate at a later time (i.e., after exchange of pretrial disclosures, after completion of deposition, after disposition or dispositive motions, etc.).

The parties feel as though this case is not appropriate for voluntary arbitration at this time, however, the parties have no objection to mediation before a magistrate judge, after the conclusion of fact discovery, or after dispositive motions are decided.

10. Is this case appropriate for bifurcation? **No.**
11. We **do not** consent to the trial being conducted by a Magistrate Judge.

Dated: August 10, 2020

By: /s/ Chanell Branch
Chanell Branch, DAG
Attorneys for Defendant

WLB

By: /s/ Michael Poreda
Michael Poreda, Esq.
Attorneys for Plaintiff